

**Motion to Adjourn.**

On motion of Senator DeBerry the Senate at 6 o'clock p. m. adjourned until 10 o'clock a. m. Friday.

**APPENDIX.****Committee on Enrolled Bills.**

Committee Room,  
Austin, Texas, Feb. 14 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 154 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

**Committee Reports.**

Committee Room,  
Austin, Texas, Feb. 12, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

S. B. No. 241, A bill to be entitled "An Act to prohibit the inclusion of moisture or other foreign substance in the ginning and baling of cotton or the insertion thereof in a bale of cotton after ginning, providing penalties for the violation thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments.

DeBERRY, Chairman.

**Committee Amendment No. 1.**

Amend by adding after the word "sweepings" wherever it occurs the word "motes" and by adding after the word "moisture" wherever it occurs, the following: "other than standard atmospheric moisture."

**Committee Amendment No. 2.**

Amend by adding to the caption just after the word "moisture" the following: "other than standard atmospheric moisture."

Committee Room,  
Austin, Texas, Feb. 14, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on

Highways and Motor Traffic, to whom was referred

H. B. No. 515, A bill to be entitled "An Act amending Section 5, of Chapter 3, of the General Laws of the Second Called Session, of the Forty-third Legislature, making it a misdemeanor for any person to operate a passenger car, commercial motor vehicle or truck-tractor on public highways during any month of motor vehicle registration year without having attached to, and displayed thereon two (2) license number plates, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOPKINS, Chairman.

Committee Room,  
Austin, Texas, Feb. 13, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 225, A bill to be entitled "An Act to amend Acts of 1927, Fortieth Legislature, First Called Session, Chapter 80, by adding thereto Section 9-A, providing for the levying of a tax annually against the property in each of the counties composing a road district composed of two or more counties, for the purpose of securing rights of way within such district for such highways as such districts were created to construct, maintain and operate or acquire, and for the maintenance of such district highways as are not maintained by the State as State highways; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HOPKINS, Chairman.

**TWENTY-SIXTH DAY.**

Senate Chamber,  
Austin, Texas,  
February 15, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Walter F. Woodul.

The roll call disclosed a quorum,

the following Senators being present:

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Westerfeld.
Martin.	Woodruff.
Moore.	

Absent—Excused.

Blackert.           Regan.

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Woodruff.

#### Petitions and Memorials.

(See Appendix.)

#### Committee Reports.

(See Appendix.)

#### Minutes of Committee Meetings.

(See Appendix.)

#### Senators Excused.

Senator Blackert was excused on account of important business on motion of Senator Hill.

Senator Regan was excused on account of important business on motion of Senator Rawlings.

#### Communication.

Senator Holbrook sent up a letter to be read and asked unanimous consent that it be printed in the Journal.

Senator Pace objected.

Senator Holbrook moved that the communication be printed in the Journal.

The motion prevailed by viva voce vote.

#### Reason for Objection.

I objected to the printing of the copy of letter from Bay City citizens to Governor Allred because I do not believe copies of communications not

addressed to the Senate or a member thereof should be printed in the Journal.

PACE.

#### Memorials.

The Chair, Lieutenant Governor Walter F. Woodul, requested the Secretary to read a memorial from the New Mexico Legislature.

The memorial was read and referred to the Committee on Federal Relations.

The Chair, Lieutenant Governor Walter F. Woodul, requested the Secretary to read a memorial from the California Legislature.

The memorial was read and referred to the Committee on State Affairs.

#### Bills and Resolutions.

##### Senate Bill No. 299.

By Senator Moore:

S. B. No. 299, A bill to be entitled "An Act to provide that in all counties having a population of Three Hundred Fifty-five Thousand (355,000) inhabitants or more according to the last preceding or any future Federal census, the county judge, sheriff, county clerk, criminal district attorney, district clerk, assessor and collector of taxes, justice of the peace and constables thereof, shall, subject to the conditions hereinafter set out, be entitled to draw and receive such annual compensation as is allowed them under the terms of Article 3883 of the Revised Civil Statutes, and declaring an emergency."

Read and referred to the Committee on Counties and County Boundaries.

##### Senate Bill No. 300.

By Senator Hornsby:

S. B. No. 300, A bill to be entitled "An Act to amend Article 3007, Revised Civil Statutes of Texas, 1925, by providing therein that the judges of election shall number any accepted ballots which may have been challenged; to amend Article 3012, Revised Civil Statutes of Texas, 1925, by omitting therefrom the provision that ballots voted at elections be numbered; and to provide that, except where the right of an elector to vote is challenged as provided for

in Article 3007 Revised Civil Statutes of Texas of 1925 as amended, no judge of election or other election officer or clerk shall number or mark any ballot voted or to be voted by an elector so that the same may be identified as the ballot of such elector, and providing a penalty; and declaring an emergency."

Read and referred to the Committee on Privileges and Elections.

#### Senate Bill No. 301.

By Senator Hornsby:

S. B. No. 301, A bill to be entitled "An Act amending Chapter 138, Acts of the Regular Session of the Forty-third Legislature; broadening the scope of said Act so as to provide for and require that agents for State-wide mutual assessment life insurance companies, State-wide mutual assessment health and accident insurance companies, local mutual aid associations and fraternal benefit societies shall become subject to said Act and be licensed by the Insurance Department of the State of Texas; subjecting such agents to the same requirements and penalties applicable to other life, health and accident insurance agents and declaring an emergency."

Read and referred to the Committee on Insurance.

#### Senate Bill No. 302.

By Senator Hornsby:

S. B. No. 302, A bill to be entitled "An Act defining abstracters and the abstract business; requiring all abstracters to apply for and receive from the Board of Insurance Commissioners a certificate of authority to engage in the abstract business; requiring all abstracters to furnish satisfactory proof to the Board of Insurance Commissioners that such abstractor owns or has for use in his business an abstract plant; providing for the inspection by the Board of Insurance Commissioners of the abstract plant of all applicants and requiring such applicant to bear the expense of such inspection; and etc., and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

#### Senate Bill No. 303.

By Senator Redditt:

S. B. No. 303, A bill to be entitled "An Act providing for the payment

of the interest accruing on or before August 31, 1937, on all bonds issued in conformity with the provisions of Article 3, Section 51-a, of the Constitution of the State of Texas and laws enacted by the Legislature pursuant thereto, and providing for the payment of the principal of all such bonds maturing on or before August 31, 1937, and declaring an emergency."

Read and referred to the Committee on Finance.

#### Senate Bill No. 304.

By Senator Westerfeld:

S. B. No. 304, A bill to be entitled "An Act amending Article 2375, Chapter 1, Title 45 of the Revised Civil Statutes, 1925, providing and adding to said Article a provision that where any justice precinct is situated in whole or in part in any city of 50,000 inhabitants or more the Justice of the Peace therein to be eligible shall hold license to practice law; and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

#### Senate Bill No. 305.

By Senator Westerfeld:

S. B. No. 305, A bill to be entitled "An Act to create an attorney's lien on the subject matter of litigation where the fee is on a contingent basis, or deferred payment basis."

Read and referred to the Committee on Civil Jurisprudence.

#### S. J. R. No. 21.

By Westerfeld.

S. J. R. No. 21.

#### A JOINT RESOLUTION

Proposing an amendment to the Constitution conferring upon the Legislature of this State the power to grant or authorize the granting of pensions to the deserving blind, as may be provided and regulated by law; and providing for an election upon such proposed constitutional amendment, and making appropriation therefor.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 51 of Article 3 of the Constitution be amended by adding thereto the following proviso:

"Provided, further, that nothing in this Constitution shall be considered

as prohibiting the Legislature from granting or authorizing the granting of pensions to the deserving blind, as may be provided and regulated by law."

Sec. 2. The foregoing constitutional amendment shall be submitted to the qualified electors of the State at the next general election, at which election those favoring such proposed amendment shall write or have printed on their ballot:

"For the amendment to the Constitution of the State of Texas authorizing the Legislature to provide that pensions may be granted to the deserving blind"; and all those opposed shall write or have printed on their ballots the words:

"Against the amendment to the Constitution of the State of Texas authorizing the Legislature to provide that pensions may be granted to the deserving blind."

Sec. 3. The Governor is hereby directed to issue the necessary proclamation for such election and secure the publication of such proclamation as required by the Constitution and laws of this State.

Sec. 4. The sum of Two Thousand (\$2,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the Treasury not otherwise appropriated to pay the expenses of publication of said proposed amendment.

Read and referred to the Committee on Constitutional Amendments.

#### S. J. R. No. 22.

By Sanderford. S. J. R. No. 22.

#### A JOINT RESOLUTION

Proposing an amendment to Section 1 of Article VIII of the Constitution of Texas by adding thereto a subsection to be known as Section 1-a of Article VIII, and providing for the limiting of the total amount of taxes assessed against property for all purposes in any one year to an amount not exceeding one (1%) per cent of the assessed valuation of such property; excepting taxes for payment of principal and interest on obligations heretofore incurred, which shall be separately assessed; providing for the increase of this limitation for a period of not more than five (5) years at any one time, to a total of not more than five (5%) per

cent of the assessed valuation by vote of as many as two-thirds (2/3) of the qualified voters of any assessing district, or when provided for by the charter of a municipal corporation; and excepting taxes levied for the year 1935. Be it resolved by the Legislature of the State of Texas:

That Section 1 of Article VIII of the Constitution of Texas be amended by adding thereto a Subsection to be known as Section 1-a of Article VIII of the Constitution of Texas, which shall read as follows:

Section 1-a. The total amount of taxes which may be assessed against property for all purposes in any one year shall not exceed one (1%) per cent of the assessed valuation of said property, except taxes levied for the payment of interest and principal on obligations heretofore incurred, which sums shall be separately assessed in all cases; provided, that this limitation may be increased for a period of not to exceed (5) years at any one time, to not more than a total of five (5%) per cent of the assessed valuation, by a vote of at least two-thirds (2/3) of the qualified voters of any assessing district, or when provided for by the charter of a municipal corporation; provided further, that this limitation shall not apply to taxes levied for the year 1935.

Sec. 2. The foregoing Amendment to the Constitution of the State of Texas shall be submitted to a vote of the qualified electors of the State at an election to be held on the second Tuesday of November, 1935, A. D.

Sec. 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election and have same published, as required by the Constitution and Amendments thereto, and the sum of Five Thousand (\$5,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated from any funds in the State Treasury not otherwise appropriated to pay the expenses of said proclamation and holding said election.

Read and referred to the Committee on Constitutional Amendments.

#### House Bill No. 515.

On motion of Senator Shivers and by an affirmative vote of four-fifths

of the membership of the Senate, the constitutional rule relating to the passage of General Bills during the first 40 days of the session was suspended and consent was granted to take up and consider the following bill by the following vote:

Yeas—27.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Westerfeld.
Moore.	Woodruff.
Neal.	

Present—Not Voting.

DeBerry.

Absent—Excused.

Blackert.	Regan.
Martin.	

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 515.

By Mr. Quinn, et al.:

H. B. No. 515, A bill to be entitled "An Act amending Section 5 of Chapter 3 of the General Laws of the Second Called Session of the Forty-third Legislature, making it a misdemeanor for any person to operate a passenger car, commercial motor vehicle, or truck-tractor on public highways during any month of motor vehicle registration year without having attached to, and displayed thereon, two license number plates, on rear and on front, lawfully assigned for said vehicle for that current year; providing this provision shall not apply to dealers operating vehicles under present provisions of the law, and providing that re-registration license plates may be purchased during February and March, and used immediately, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

Senator Oneal sent up the following amendment:

Amend H. B. No. 515 by adding immediately after the word "current" in next to last line on page 1, the word "registration."

ONEAL.

Read and adopted.

Senator Oneal sent up the following amendment:

Amend H. B. No. 515 by striking out of section 1 the last word, that is the word "immediately" and adding in lieu thereof the following:

"from and after March 1, preceding the registration year for which they are issued upon the motor vehicle for which they are issued."

ONEAL.

Read and adopted.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Shivers the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 515 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Blackert.	Regan.
Martin.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	DeBerry.
Burns.	Duggan.
Collie.	Fellbaum.
Cotten.	Hill.
Davis.	Holbrook.

Hopkins.	Redditt.
Hornsby.	Sanderford.
Hughston.	Shivers.
Moore.	Small.
Neal.	Stone.
Oneal.	Sulak.
Pace.	Van Zandt.
Poage.	Westerfeld.
Rawlings.	Woodruff.

Absent—Excused.

Blackert.	Regan.
Martin.	

#### Senate Bill No. 146.

On motion of Senator Beck and by an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the passage of general bills during the first 40 days of the session was suspended and consent was granted to take up and consider the following bill by the following vote:

Yeas—28.

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Blackert.	Regan.
Martin.	

The Chair laid before the Senate on its second reading the following bill:

By Senators Beck, Poage, Hornsby, Collie, Rawlings, Martin, Redditt, Sanderford, Woodruff, Fellbaum, Pace, Duggan, Hughston, Hopkins and Westerfeld:

S. B. No. 146, A bill to be entitled "An Act to create the Department of Public Safety of the State of Texas; and the Public Safety Commission, and declaring an emergency."

#### Motion to Set for Special Order.

Senator Beck moved to set S. B.

No. 146 for special order Monday morning after the morning call.

The motion prevailed by the following vote:

Yeas—28.

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Sanderford.
Fellbaum.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Hughston.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Blackert.	Regan.
Martin.	

#### Committee of the Whole.

Senator Holbrook was recognized and stated that the time set for the Committee of the Whole had now arrived, the Lieutenant Governor, Walter F. Woodul, yielded the Chair to the Chairman of the Committee of the Whole, Senator Rawlings.

#### Senate Called to Order.

The Chair, Lieutenant Governor Walter F. Woodul, called the Senate to order at 12:40 o'clock p. m.

#### Motion to Adjourn.

Senator Burns, at 12:43 o'clock p. m., moved that the Senate adjourn until Monday morning at 10 o'clock.

Motion pending.

#### Senate Resolution No. 45.

Senator Holbrook received unanimous consent to send up the following resolution:

By Senator Holbrook:

Whereas, The rules of the Senate with respect to the secrecy of their executive sessions and the unauthorized publication of proceedings thereof, are wholly inadequate; and

Whereas, There is an unwritten rule of long standing in the Senate that these proceedings be not made public; and

Whereas, It is the intention of the Senate to perfect the rule in order to protect its proceedings in executive session; now, therefore be it,

Resolved by the Senate, That the Rules Committee of the Senate be, and is hereby, instructed to prepare such rules as may be necessary, with adequate penalties, to carry out the long honored custom of secrecy with respect to proceedings in its executive sessions, and report said rule to the Senate as soon as possible.

Read and referred to the Committee on Rules.

#### Senate Bill No. 306.

Senator Fellbaum received consent to send up the following bill:

By Senator Fellbaum:

S. B. No. 306, A bill to be entitled "An Act, amending Article 2293, Chapter 13, Title 42, Revised Civil Statutes, 1925, by adding thereto an additional ground for the appointment of receivers for foreign corporations, providing for the appointment of a receiver for a foreign corporation, and all property situated in Texas of such foreign corporation upon the application of five per cent of the preferred stockholders or upon the application of ten persons owning or holding preferred stocks, or either, when the stated dividends under any class of preferred stock, held by the applicants, shall be in arrears in an aggregate amount equal to the annual stated dividends due under such preferred stock, providing that such receivership shall continue in force until all dividends and interest in default, and current dividends and interest thereafter, due all classes of preferred stockholders shall have been paid or until the affairs of such corporation are wound up according to law providing that such additional ground for the appointment of a receiver for a foreign corporation and its Texas properties be cumulative of all other grounds therefor; and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

#### Senate Resolution No. 46.

Senator Woodruff received consent to send up the following resolution:

By Senator Woodruff:

Be it resolved by the Senate of the

State of Texas That the Senate Rule No. 106 adopted under the provisions of Senate Resolution No. 22 of the Regular Session of the Forty-fourth Legislature, 1935, be amended so as hereafter to read as follows:

"106. No bills or resolutions, other than local bills (as defined in Rule No. 104), emergency matters submitted by the Governor in special messages to the Legislature, acting upon appointments of the Governor, (whether recess appointments or otherwise) shall be taken up and considered, or acted upon by the Senate during the first 40 calendar days of the session, except by affirmative vote of four-fifths of the membership; Section 5 of Article 3 of the Constitution of the State of Texas, in so far as same applies to procedure in the consideration of bills and resolutions before the Senate is hereby suspended as to all matters after the first 40 calendar days of the Regular Session of 1935, and it shall be in order to consider bills and resolutions in the Senate, under the rules of the Senate at any time during the Forty-fourth Legislature from and after the 40th calendar day thereof.

Read and referred to the Committee on Rules.

#### Adjournment.

The motion to adjourn prevailed by viva voce vote.

#### APPENDIX.

##### Petitions and Memorials.

Bay City Chamber of Commerce

Bay City, Texas, Feb. 14, 1935.

Governor James V. Allred,

State Capitol, Austin, Texas.

Dear Governor:

It is with exceeding regret and concern that we note your recommendations for appointments for membership on the Colorado Valley Authority Committee.

We understand and sympathize with the precedent of paying political obligations on taking office such as you now hold, but we are also of the opinion that even such means can be used in excess of all reason even to the point of reaching the

ridiculous, and we want to assure you that the people in that vast territory adjacent to the Colorado River from Austin south are very much displeased with the appointments released to the press a few days ago by yourself, the Attorney General and Land Commissioner. How could anyone be familiar with the Colorado River and its problems who lives at Abilene, Texas, Fort Worth, two hundred miles away from the Colorado River and on the banks of the Trinity River. You have only one man, Fritz Englehart, Eagle Lake, Texas, south of Austin on the committee.

At a meeting of the Board of Directors of the Bay City Chamber of Commerce today the strongest disapproval possible was expressed by all members present and having contacted the citizenship of the major towns above us on the Colorado River we find the same sentiment as we know it on the lower reaches of this river. Why it is that men could not have been appointed from each of these five lower counties is beyond all reason and expectations of our people.

Since you have committed yourself we realize what a position you are in to rectify such a gross mistake in offering these appointments for approval as you have done, but we would like to have an expression from you at least, as to why your action was as it is, so that we may familiarize our people as to the details of these appointments, and if you see what a gross injustice has been done to the people of the Colorado Valley and can rectify these mistakes, please do it.

We shall expect a letter from you relative to this matter at your earliest convenience.

Very respectfully yours,

P. R. HAMILL,

President, Bay City Chamber of Commerce.

#### Committee Reports.

Committee Room,  
Austin, Texas, Feb. 15, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We your Committee on Game and Fish, to whom was referred

S. B. No. 204, A bill to be entitled "An Act amending Section 2, of Chapter 209, page 450, Acts Regu-

lar Session Forty-first Legislature so as to provide for a closed season on wild prairie chickens and pinnated grouse in the counties of Collingsworth, Wheeler, Hemphill, Lipscomb, Gray, Roberts and Donley for a period of five years, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SHIVERS, Chairman.

Committee Room,  
Austin, Texas, Feb. 15, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

S. B. No. 210, A bill to be entitled "An Act making it unlawful for any person to take or catch any fish in the waters of any stream, lake, pool or reservoir of certain counties in this State during the months of April and May of each year, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SHIVERS, Chairman.

Committee Room,  
Austin, Texas, Feb. 14, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 89, A bill to be entitled "An Act providing for the protection of the public health, authorizing the State Health Officer to define and fix the specifications for certain grades of milk and milk products as defined in the Act."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BECK, Chairman.

Committee Room,  
Austin, Texas, Feb. 14, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 84, A bill to be entitled "An Act providing for the prevention and control of disease."



Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BECK, Chairman.

Committee Room,  
Austin, Texas, Feb. 14, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 32,

A Concurrent Resolution memorializing the Congress of the United States of America to pass an Act known as H. R. 3263 now pending in the House of Representatives of the Congress of the United States, which Act modifies the Fourth Section of the Interstate Commerce Act to permit a fair competition between rail and steamship lines in the transportation of transcontinental traffic so as to re-establish the employment of thousands of employees to their former employment.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,  
Austin, Texas, Feb. 14, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 184, A bill to be entitled "An Act regulating the occupation of hairdressers and cosmetologists."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendments.

BECK, Chairman.

#### Committee Amendment No. 1.

Amend S. B. No. 184 by striking out the first 4 lines of Section 4a and inserting in lieu thereof, the following:

Each member of said board shall serve a term of six years, or until his or her successor is appointed and qualified, except in the case of the first board, whose members shall serve as follows: One member until February 1, 1937; one member until February 1, 1939; and one until February 1, 1941.

#### Committee Amendment No. 2.

Amend S. B. No. 184 by striking out all of Section 25 and inserting in lieu thereof, the following:

Nothing herein contained shall be construed to affect or repeal the provisions of any law now in force in this State relating to the practice of barbering, but shall be cumulative thereof.

Committee Room,  
Austin, Texas, Feb. 14, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 152, A bill to be entitled "An Act amending Article 4518 of Chapter 7, Title 71 of the Revised Civil Statutes of Texas of 1925 and repealing all laws in conflict therewith, pertaining to qualifications of applicants for registration as registered nurses."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with the committee amendment.

BECK, Chairman.

#### (Sub-committee Report.)

Committee Room,  
Austin, Texas, Feb. 14, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, the Sub-committee appointed to rewrite S. B. No. 152, beg leave to report that we have rewritten this bill striking out all below the enacting clause and substituting therefor the following attached amendment:

SANDERFORD,  
HORNSBY.

#### Committee Amendment.

By Committee. S. B. No. 152.

#### A BILL To Be Entitled

An Act amending House Bill No. 329 by striking out all below the enacting clause and substituting therefor the following, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

That Article 4518 of Chapter 7, Title 71, Revised Civil Statutes, 1925, be amended so as to here-

after read as follows, and repealing all laws in conflict therewith:

Section 1. "Qualifications of Nurses training Schools and Applicants: All special hospitals approved by the Board of Nurse Examiners, and general hospitals, which are equipped with not less than twenty-five beds, and which have a daily annual average of not less than fifteen patients, and which teach the course of study prescribed by the Board of Nurse Examiners of the State of Texas, are hereby constituted duly qualified and accredited nursing schools. A general hospital, as the term is here used, is a public or private institution where men, women and children are treated for all kinds of diseases, bodily injury, or physical deformity by means of both medical and surgical treatment, and which maintains an organized staff of physicians and surgeons licensed to practice medicine in the State of Texas.

"Sec. 2. No person shall be certified as a graduate of any such nursing school unless such person has had three full years of work and study in such school under a registered nurse, two years of which must be continuous in the school of nursing from which she has graduated, or two continuous years in a special hospital and one continuous full year in a General Hospital. And such graduate upon presenting such certificate to the State Board of Nurse Examiners shall upon the payment of the required fees, be entitled to take the examinations prescribed by the State Board; and upon making the passing grades prescribed by the Board, shall be entitled to receive from said Board a certificate certifying that such person is a graduate nurse and entitled to practice as a registered nurse in the State of Texas.

"Sec. 3. If any provision of this Act shall be declared unconstitutional or invalid, it shall not invalidate or effect any other provision hereof.

"Sec. 4. The failure of the present law to define what shall constitute an accredited school of nursing, and to make provision for the minimum number of beds and daily average of patients, annually, required of general hospitals, to which schools of nursing may be attached, and permitting adoption of rules by the

State Board of Nurse Examiners discriminating against the smaller general hospitals of this State to which schools of nursing may be attached, and which are conducting adequate and competent nursing schools, creates an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and this Act shall be in force from and after its passage, and it is so enacted.

#### Minutes of Committee Meetings.

#### Minutes of Committee on State Affairs Held February 14, 1935.

##### Regular Meeting.

Present: Pace, Blackert, Collie, Cotten, DeBerry, Fellbaum, Holbrook, Hornsby, Hughston, Martin, Moore, Oneal, Rawlings, Redditt, Regan, Shivers, Small, Stone, Sulak.

Absent: Hopkins.

H. C. R. No. 32 was reported favorably by viva voce vote with the recommendation it be printed.

REEVES, Secretary.

#### Minutes of the Game, Fish and Oyster Committee Held February 15, 1935.

Present: Shivers, Holbrook, Small, Cotten, Oneal, Pace, Redditt and Sulak.

S. B. No. 204 was reported favorably by viva voce vote.

S. B. No. 210 was reported favorably by viva voce vote.

HAZEL AVERY, Secretary.

#### TWENTY-SEVENTH DAY.

Senate Chamber,

Austin, Texas,

February 18, 1935.

The Senate met at 10 oclock a. m., pursuant to adjournment, and was called to order by President Pro Tem., K. M. Regan.

The roll call disclosed a quorum, the following Senators being present:

Beck.  
Blackert.  
Burns.  
Collie.  
Cotten.

Davis.  
Duggan.  
Holbrook.  
Hopkins.  
Hornsby.